

Attorney Docket: 080395.52533US
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: PRESTON CUTRIGHT ET AL.

Serial No. 09/935,107 Group Art Unit: 1714

Filed: AUGUST 23, 2001 Examiner: C. D. Toomer

Title: SYNTHETIC FUEL COMPRISING COAL DUST, WATER AND A
REACTIVE ORGANIC COMPOUND, AND A PROCESS FOR
MAKING SUCH SYNTHETIC FUEL

DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, James Gambino, do declare that:

1. I am a resident and citizen of Pennsylvania, United States of America.
I currently work for Elementis Specialties, Inc. of Hightstown, New Jersey,
U.S.A., as Chief Technology Officer. I am a co-inventor of the instant invention
and am familiar with the Official Action presently pending. I met with Examiner
Toomer at an interview in her office and submit this Declaration in support of the
allowance of this invention as discussed at the Interview.

2. Lorama Chemicals, Inc. of Milton Ontario is a producer of Lorama
polysaccharide starches. Tony Vacc is the Technical Director for starches at
Lorama Chemicals, Inc. Mr. Vacc is familiar with the Lorama polysaccharide
starch products made by Lorama Chemicals, Inc. which are described in my

pending patent application – see specification on page 9. These are the preferred additives of my invention.

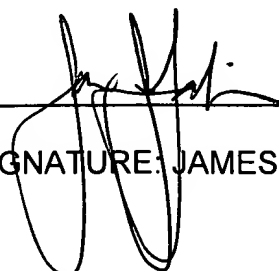
3. I have been advised by Mr. Vacc, Technical Director, that an experiment was conducted in order to determine the molecular weight distribution of Lorama polysaccharide starch products that are representative of the Lorama polysaccharides described at page 9 of the specification of the pending application.

4. The molecular weight distribution was determined using standard analytical techniques. The figure obtained showed a range of molecular weights less than 500,000.

5. In my opinion, a person of ordinary skill in the art in August 2001, who had possession of a sample of the Lorama starch products described in my application, would have been able to perform an experiment in order to determine the molecular weight distribution of such products.

6. I declare that the preceding statements which are made from my own knowledge are true and that the preceding statements which are made on information and belief are believed to be true. I am aware that willful false statements and the like are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and may jeopardize the validity of the application or any patent issuing thereon.

6/11/04
DATE


SIGNATURE: JAMES J. GAMBINO